

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MINNESOTA

Chambers of
PATRICK J. SCHILTZ
DISTRICT JUDGE

Warren E. Burger U.S. Courthouse
316 North Robert Street
St. Paul, Minnesota 55101
(651) 848-1900

February 11, 2009

Mr. Michael Fiorito
Anoka County Jail
325 East Jackson Street
Anoka, MN 55303

Re: United States of America v. Michael Fiorito
Case No. 07-CR-0212 (PJS/JSM)

Dear Mr. Fiorito:

Thank you for your letter of February 6, 2009, inquiring about your need to comply with the Federal Rules of Criminal Procedure and the local rules, and asking whether you might be released from confinement before trial.

As I warned you at the *Farettta* hearing and in my order, you must comply with the Federal Rules of Criminal Procedure and the local rules. Mr. Altman, your standby counsel, can file and serve papers on your behalf.

As for your pretrial confinement: If you wish, you may file a motion — properly served and filed — asking that you be released from custody pending trial. Such a motion would, in the first instance, be addressed by Judge Mayeron. But given your extensive criminal history and your past refusal to obey court orders, I think it highly unlikely that Judge Mayeron will change her mind about pretrial detention.

Sincerely,

s/Patrick J. Schiltz
Patrick J. Schiltz
United States District Judge

cc: Magistrate Judge Janie S. Mayeron
Mr. Douglas Altman